

**OFFICE OF THE DISTRICT ATTORNEY, Bronx County**

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January 11, 2007

The Honorable Henry B. Pitman,  
United States Magistrate Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

*RESPONDENT'S TIME TO  
ANSWER IS EXTENDED TO 4-21-08*

**SO ORDERED**

**HENRY PITMAN**  
**UNITED STATES MAGISTRATE JUDGE**

Re: Ahib Paul v. Robert Ercole  
07 Civ. 9462 (CM) (HBP)

*1-16-08*

Your Honor:

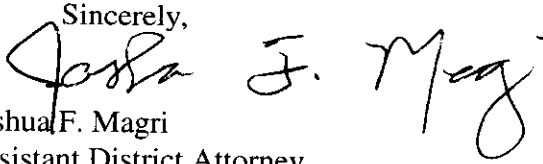
I represent respondent in the above-captioned petition for a writ of habeas corpus and our response is due on January 22, 2008 (In an order dated November 19, 2007, this Court ordered respondent to file a response no later than January 22, 2008). However, in pro se papers dated November 28, 2007, petitioner requested the appointment of counsel and moved to stay his petition; the undersigned responded to that motion on January 10, 2007.

Due to the above developments, respondent respectfully inquires whether the response date for the petition is still January 22, 2008, or whether our response should be held in abeyance until further notice from this Court.

To the extent that the response date remains January 22, 2008, I respectfully request a 90-day extension until April 21, 2008, to respond. I am requesting this additional time due to my extensive workload, which includes a direct appeal with a Record Appendix of over 2000 pages, two petitions for writ of error coram nobis, a NYCPL Article 440 motion, and a NYCPL Article 160.50 motion, and so that I will be able to cogently respond to defendant's petition. This is my first extension request.

Thank you very much for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua F. Magri". The signature is fluid and cursive, with the first name "Joshua" and last name "Magri" clearly distinguishable.

Joshua F. Magri  
Assistant District Attorney

cc: Ahib Paul  
DIN: 03-A-5192  
Green Haven Correctional Facility  
P.O. Box 4000  
Stormville, NY 12582